

AA-6701-A

The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS

Seldovia Native Association, Inc.

is entitled to a Land Patent pursuant to Sec. 14(a) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 702; 43 U.S.C. 1601, 1613(a), for the surface estate in the following described lands:

Lot 2 of U.S. Survey No. 3378, situated at Barabara Point on the southerly shore of Kachemak Bay approximately 4 miles northeast of Seldovia.

Containing 91.22 acres.

Lot 1 of U.S. Survey No. 4601, situated on the southerly shore of Kasitsna Bay.

Containing 4.90 acres.

Lots 1 and 7 of U.S. Survey No. 4651, situated on MacDonald Spit, on the southerly shore of Kachemak Bay.

Containing 4.44 acres.

Aggregating 100.56 acres.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the above named corporation the surface estate in the land described above; TO HAVE AND TO HOLD the said estate with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever:

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(f) (1976)); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; 43 U.S.C. 1601, 1616(b) (1976)), the following public easements, referenced by easement identification number (EIN) on the easement maps in case file AA-6701-EE, are reserved to the United States and subject to further regulation thereby:
 - a. (EIN 1 D9 (D9 1)) An easement sixty (60) feet in width for the existing Seldovia to Windy Bay road from Sec. 20 easterly to the east boundary of Sec. 24, T. 8 S., R. 14 W., Seward Meridian. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

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- b. (EIN 3 D9 (D9 3)) An easement for an existing access trail twenty-five (25) feet in width from Sec. 21, T. 8 S., R. 14 W., Seward Meridian, easterly along the coast to Sec. 19, T. 8 S., R. 13 W., Seward Meridian. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- c. (EIN 7 D9 (D9 33)) An easement for a proposed access trail twenty-five (25) feet in width generally following the left bank of Barbara Creek within Sec. 15, T. 8 S., R. 14 W., Seward Meridian. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- d. (EIN 8 C7 (L1 3)) A stream gaging site easement in the SW $\frac{1}{4}$ of Sec. 15, T. 8 S., R. 14 W., Seward Meridian.
- e. (EIN 9 C7 (L1 3)) An easement for an existing access trail twenty-five (25) feet in width from EIN 1 D9 (D9 1) to the stream gaging site easement EIN 8 C7 (L1 3). The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- f. (EIN 11 D9 (D9 39)) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses. Deviations from the waterline are permitted when specific conditions so require, e.g., impassable topography or waterfront obstruction. This easement is subject to the right of the owner of the servient estate to build upon such easement a facility for public or private purposes, such right to be exercised reasonably and without undue or unnecessary interference with or obstruction of the easement. When access along the marine coastline easement is to be obstructed, the owner of the servient estate will be obligated to convey to the United States an acceptable alternate access route, at no cost to the United States, prior to the creation of such obstruction.
- g. (EIN 12 C (C 42)) The right of the United States to enter upon the lands hereinabove granted for cadastral, geodetic or other survey purposes is reserved together with the right to do all things necessary in connection therewith.

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These reservations have not been conformed to the Departmental easement policy announced March 3, 1978, and published as final rulemaking on November 27, 1978, 43 FR 55326. Conformance will be made at a later date in accordance with the terms and conditions of the agreement dated January 18, 1977, between the Secretary of the Interior, the Seldovia Native Association, Inc., Cook Inlet Region, Inc. and other Cook Inlet village corporations.

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g) (1976))), contract, permit, right-of-way, or easement and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him;
2. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 703; 43 U.S.C. 1601, 1613(c) (1976)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section; and
3. The following third-party interests, if valid, created and identified by the State of Alaska, as provided by Sec. 14(g) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(g) (1976)):

Right-of-Way Permit:

ADL 57987 traversing lands in lot 2,
U.S. Survey 3378.

Letter of non-objection for entry to construct Pioneer
Access Road, Project No. S-11960:

ADL 39789 traversing lands in lot 2, of
U.S. Survey 3378 and Lot 1 of U.S. Survey 4601.

4. The terms and conditions of the agreement dated January 18, 1977, between the Secretary of the Interior, Cook Inlet Region, Inc., Seldovia Native Association, Inc. and other Cook Inlet village corporations. A copy of the agreement was recorded in the Homer Recording District, Book 100, pages 518 through 531, in the Kenai Recording District, Book 130, pages 298 through 311 and in the Seldovia Recording District, Book 22, pages 103 through 113.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

[SEAL]

GIVEN under my hand, in **Anchorage, Alaska** in the year **FOURTH** of our Lord one thousand nine hundred and **MAY** and of the Independence of the United States the two hundred **SEVENTY-NINE** and **THIRD**.

By

William D. Army

Assistant to the State Director
for ANCSA

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